

Senate Bill 684

Polluters Pay Climate Superfund Act of 2025

Senator Caroline Menjivar (D – San Fernando Valley)

SUMMARY

SB 684 establishes a program in California's Environmental Protection Agency (CalEPA) to assess fees on the largest fossil fuel polluters, to pay their fair share of the damage their products have inflicted on California. The fees would initially pay for a cost study to quantify climate impacts to the state and then help pay for the damages. Without this bill, California taxpayers will continue to pay for the costs of climate damage, while the polluters responsible—who have raked in massive profits enhancing climate chaos—avoid paying their fair share, making the affordability crisis for Californians even worse.

PROBLEM

Californians face billions in climate crisis related costs in the years ahead. Polluters must take responsibility for that burden and pay for the damages their pollution caused. The recent Los Angeles wildfires alone have caused more than \$250 billion in damages and losses. The climate crisis will only continue to exacerbate these disasters and as a result worsen our affordability crisis. It is imperative that we act now to ensure the health, safety and economic security of our communities. If not now, the burden will continue to be carried by the taxpayers across California.

BACKGROUND

Fossil fuels account for nearly 90% of all CO₂ emissions and more than 75% of global greenhouse gas (GHG) emissions.ⁱ Published, peer-reviewed research using polluters' own self-reported data shows that about two-thirds of human-caused CO₂ and methane emissions come from just 90 of the world's largest fossil fuel companies.ⁱⁱ These polluters have profited by producing and selling fossil fuels while externalizing their pollution costs upon California families who have paid the price for the damage their products caused.^{iii, iv}

SB 684 is modeled on existing federal legislation, which requires cleanup of legacy pollution under a strict liability

standard, the Comprehensive Environmental Response, Compensation, and Liability Act.

SOLUTION

SB 684 takes an important step to address our climate crisis by doing the following:

- Requires CalEPA to complete the first comprehensive statewide study to establish the quantifiable costs of climate damages to the state of California through 2045;
- Defines responsible parties as entities who did business in California and emitted more than one billion metric tons CO₂-equivalent during the covered time period of 1990 to 2024, via the extraction, production, combustion, and sale of fossil fuels;
- Directs CalEPA to oversee the program, assess and collect fair and proportionate fees from responsible parties to be paid into the Polluters Pay Climate Superfund, and allocate expenditures from the fund, per Legislative guidance, to projects supporting climate resilience, mitigation, and infrastructure that support communities, businesses, and workers while addressing the affordability crisis;
- Ensures that the fees fund projects and programs to mitigate disaster related rate increases for Californians and remedy or prevent climate-related costs and harms as well as prioritizes labor and job standards and dedicates at least 40% of the funds to benefit disadvantaged communities.

STATUS

Amended – March 26, 2025

SUPPORT

California Environmental Voters (Co-Sponsor)
Campaign for a Safe and Healthy California (Co-Sponsor)
Center for Biological Diversity (Co-Sponsor)

1000 Grandmothers
198 Methods
350 Bay Area Action
350 Conejo / San Fernando Valley
350 Contra Costa Action
350 Humboldt
350 Marin
350 Sacramento
350 Santa Barbara
350 Southland Legislative Alliance
350 Ventura County Climate Hub
350.org
Action for The Climate Emergency (ACE)
Active San Gabriel Valley
Alliance of Californians for Community Empowerment (ACCE)
American Academy of Pediatrics, California
American Lung Association
Asian Pacific Environmental Network
Avaaz
Azul
Ballona Institute
Bay Area-system Change Not Climate Change
Benioff Ocean Science Laboratory
Better APC
Better Future Project
Beyond Extreme Energy (BXE)
Bicycling Monterey
Biofuelwatch
Black Women for Wellness Action Project
CA Youth Vs. Big Oil
California Association of Professional Employees (CAPE)
California Calls
California Climate Voters California Environmental Justice Alliance (CEJA) Action
California Federation of Teachers
California Green New Deal Coalition
California Institute for Biodiversity
California Interfaith Power & Light
California Nurses Association
California Nurses for Environmental Health and Justice
Californians Against Waste
Carbon Cycle Institute
Ccan Action Fund
Center for Community Action and Environmental Justice (CCA EJ)
Center for Developing Leadership in Science
Center on Race, Poverty & the Environment
Central California Asthma Collaborative (CCAC)

Central California Environmental Justice Network
Cerbat
Cft- a Union of Educators & Classified Professionals, Aft, Afl-cio
Church and Society of First Presbyterian Church of San Anselmo
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Clean Water Action California
Cleaneearth4kids.org
Climate Action California
Climate Action Campaign
Climate Defenders
Climate Equity Policy
Center Climate First: Replacing Oil & Gas (CFROG)
Climate Hawks Vote
Climate Health Now
Climate Reality Project Bay Area Chapter
Climate Reality Project Riverside County Chapter
Climate Reality Project San Diego
Climate Reality Project San Francisco Bay Area Chapter
Climate Reality Project, California Coalition
Climate Reality Project, Los Angeles Chapter
Climate Reality Project, Orange County
Climate Reality Project, San Fernando Valley
Coalition for Clean Air
Coalition for Humane Immigrant Rights (CHIRLA)
Coastal Defenders Coastal Lands Action Network (CLAN)
Communities for A Better Environment
Conejo Climate Coalition
Consumer Attorneys of California
Consumer Watchdog
Courage California
Culver City Democratic Club
Dayenu: a Jewish Call to Climate Action
Defend Ballona Wetlands
Dr. Bronner's
Earth Ethics, INC
Eco Office of Asuc Senator China Duff
Eko
Elders Climate Action
Elected Officials to Protect America
Endangered Habitats League
Environmental Center of San Diego
Environmental Defense Center
Evergreen Action
Extinction Rebellion San Francisco Bay Area
Facts: Families Advocating for Chemical & Toxics Safety
Food & Water Watch

Fossil Free California
Fossil Free Media
Fractracker Alliance
Fridays for Future Sacramento
Friends Committee on Legislation of California
Friends of The Earth
Friends of The River
Glendale Environmental Coalition
Good Neighbor Steering Committee of Benicia
Greenfaith
Greenpeace USA
Grid Alternatives
Human Impact Partners
ILWU Northern California District Council
Immaculate Heart Community Environmental Commission
Individual Climate Scientists & Environmental Science Experts
Individual Economists
Indivisible Marin
Little Manila Rising
Long Beach Alliance for Clean Energy
Los Angeles Climate Reality Project
Los Angeles Faith & Ecology Network
Make Polluters Pay National Campaign
Mothers Out Front Silicon Valley
Move LA
Natural Resources Defense Council
Natural Resources Defense Council (NRDC)
Nextgen California
No Drilling Contra Costa
Norcal Elder Climate Action
Oil & Gas Action Network
Oil Change International
Our Revolution
Our Time to Act
Oxfam America
Pacific Environment Physicians for Social Responsibility - Los Angeles
Physicians for Social Responsibility - Pennsylvania
Physicians for Social Responsibility - Sacramento Chapter
Physicians for Social Responsibility - San Francisco Bay Area Chapter
Poder
Presente.org
Protect Monterey County
Protect Playa Now
Public Citizen
Reclaim Our Power!
Redeemer Community Partnership

Resilient Palisades
Rise Economy
Rising Sun Center for Opportunity
Rootsaction.org
San Diego 350
San Diego Pediatricians for Clean Air
San Francisco Baykeeper
Santa Cruz Climate Action Network
Santa Cruz County Democratic Central Committee
Santa Monica Democratic Club
See (social Eco Education)
Seventh Generation
Sierra Club California
So Cal 350 Climate Action
Society of Native Nations
Spottswode Winery, INC.
Strategic Concepts in Organizing and Policy Education (SCOPE)
Sunflower Alliance
Sunrise Bay Area
Sunrise Movement
Sunrise Movement LA
Sustainable Mill Valley
Sustainable Rossmoor
Synergistic Solutions
The Climate Center
The Phoenix Group
The Story of Stuff Project
The Wendy and Eric Schmidt Center Data Science and Environment At UC Berkeley
Third ACT
Third ACT Bay Area
Third ACT Sacramento
Third ACT Socal
Third ACT Upstate New York
Tiaa-divest!
Transition Sebastopol
Unidos Network INC
Vote Solar
Voters of Tomorrow
Voting 4 Climate & Health
West Berkeley Alliance for Clean Air and Safe Jobs
Wildearth Guardians
Youth for Earth
Youth V. Oil
Youth Will
Youth4climate

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ⁱ United Nations, *Causes and Effects of Climate Change* (visited Feb. 21, 2024) <https://www.un.org/en/climatechange/science/causes-effects-climate-change>.

ⁱⁱ Richard Heede, *Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers*, 122 *Climatic Change* 229, 234 (Jan. 2014), <https://doi.org/10.1007/s10584-013-0986-y>.

ⁱⁱⁱ Env'tl and Energy Study Inst., *Fossil Fuel Subsidies: A Closer Look at Tax Breaks and Societal Costs* (July 2019) <https://www.eesi.org/papers/view/fact-sheet-fossil-fuel-subsidies-a-closer-look-at-tax-breaks-and-societal-costs>.

^{iv} See, e.g., Consumer Watchdog, *Black Gold: The \$10 Trillion Cost Of California's Oil* (June 2, 2023), <https://consumerwatchdog.org/energy/black-gold-10-trillion-dollar-cost-california-oil/>.

